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PROGRAMME QUESTIONS

Proposed programme of work in crime prevention and criminal justice for the biennium 1996-1997

Note by the Secretary-General

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INTRODUCTION

1. The present note contains a summary of the proposed programme of work in crime prevention and criminal justice for the biennium 1996-1997 for consideration by the Commission. The proposed programme of work is reflected in section 13, "crime control" of the proposed programme budget for the biennium 1996-1997 (A/50/6/Sect. 13). It will become final upon approval by the Advisory Committee on Administrative and Budgetary Questions and by the General Assembly at its fiftieth session.

I. OVERVIEW

2. The proposed programme of work is derived from programme 29, Crime prevention and criminal justice, of the medium-term plan for the period 1992-1997, as revised (A/47/6/Rev.1). It is consistent with the Statement of Principles and Programme of Action adopted by the Assembly in resolution 46/152 of 18 December 1991 and the priority themes adopted by the Economic and Social Council in resolution 1992/22 to guide the Commission on Crime Prevention and Criminal Justice.

3. The Crime Prevention and Criminal Justice Branch would be upgraded to a division, in order to reflect the expanded mandates of the programme adopted by the General Assembly and the Economic and Social Council. The Division will provide substantive servicing to the Commission on Crime Prevention and Criminal Justice and prepare the quinquennial United Nations congresses on the prevention of crime and treatment of offenders.

II. POLICY-MAKING ORGANS

Commission on Crime Prevention and Criminal Justice

4. The Economic and Social Council, in its resolution 1992/1 of February 1992, established the Commission on Crime Prevention and Criminal Justice as a functional commission of the Council, in accordance with the statement of principles and programme of action contained in the annex to General Assembly resolution 46/152 on the creation of an effective United Nations crime prevention and criminal justice programme. The Commission's functions are to provide policy guidance to the United Nations in the field of crime prevention and criminal justice; develop, monitor and review the implementation of the programme; facilitate and help to coordinate the activities of the interregional and regional institutes; mobilize the support of Member States for the crime prevention and criminal justice programme; and prepare for the congresses. The Commission is composed of 40 members, elected by the Economic and Social Council for a term of three years, and meets annually.

III. PROGRAMME OF WORK

5. During the biennium 1996-1997, the programme will continue to focus on providing Member States with timely and practical assistance and advisory services, and on enabling the Commission to perform its mandated function as the principal policy-making body of the United Nations in the field of crime prevention and criminal justice. Efforts under the programme will also be directed at assisting Member States in the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime held in 1994, and subsequently approved by the General Assembly in its resolution 49/159 of 23 December 1994. In addition, the follow-up of the conclusions and recommendations

of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in May 1995, will provide another important area of work.

A. Subprogramme 1. Operational activities, planning and overall coordination

6. During the biennium 1994-1995, in accordance with Council resolution 1994/22, technical assistance activities were oriented towards facilitating exchange of information (e.g. clearing-house functions); contributing to training activities organized by other entities, such as intergovernmental or non-governmental organizations; organizing training on specific issues, upon the request of Member States or an organization; and contributing to broader operational activities implemented by the United Nations.

7. During the biennium 1996-1997, the subprogramme will continue to assist the Commission in coordinating crime prevention and criminal justice activities carried out by United Nations entities and in collaboration with intergovernmental and non-governmental organizations, as well as the professional and scientific community; coordinate the contribution of the United Nations crime prevention and criminal justice programme to special missions of the United Nations; and coordinate the contributions of the regional and interregional institutes on crime prevention and control, integrating their work into that of the programme. The subprogramme will focus on establishing a solid foundation for carrying out efficiently expanded operational activities. This will involve establishing effective channels of communication with Governments, developing procedures and practices for project formulation, implementation and evaluation, and strengthening the global information network on crime and justice. The subprogramme will also provide support to the advisory services conducted by the interregional advisers on crime prevention and control.

Activities

1. International cooperation

External relations. Cooperation with intergovernmental organizations including the Organization for Economic Cooperation and Development (OECD), the Council of Europe, the Organization of American States (OAS), the Organization of African Unity (OAU), the European Union (EU), various subregional organizations, relevant non-governmental organizations, particularly through the mechanisms established in the context of the International Scientific and Professional Advisory Council, and with research and scientific institutions on operational activities in the field of crime prevention and criminal justice.

2. Parliamentary services

(a) Parliamentary documentation. Annual reports to the General Assembly on crime prevention and criminal justice and on activities of the African Institute for Crime Prevention and Criminal Justice; annual report to the Economic and Social Council on the work of the Commission on Crime Prevention and Criminal Justice; annual report to the Commission on Crime Prevention and Criminal Justice on technical cooperation and advisory services; cooperation and coordination of activities in crime prevention and criminal justice; and activities of the United Nations Interregional Crime and Justice Research Institute and other institutes.

(b) Ad hoc expert groups and related preparatory work. Ad hoc expert groups on coordination of practical assistance to Member States in crime prevention and criminal justice and on extradition and international cooperation (RB/XB).

3. Published material

(a) Non-recurrent publication: Training and skills manual for United Nations civil police officers.

(b) Technical material. Databases on results of a survey of available training opportunities and facilities; needs of Member States in the field of crime prevention and criminal justice and the possibilities of cooperation; a roster of experts in different disciplines in the field of crime prevention and criminal justice.

4. Information materials and services

Booklets, pamphlets, fact sheets, wall charts, information kits. One leaflet each on the structure and function of the programme; activities of the Commission on Crime Prevention and Criminal Justice; the Ninth United Nations Congress on Crime Prevention and Criminal Justice; and technical cooperation offered under the programme; and 20 lectures to high-ranking law enforcement and criminal justice officials from developing countries and central and eastern European countries.

5. Operational activities

(a) Advisory services on needs assessment and development of project proposals

(b) Two regional seminars in cooperation with the regional institutes on policy development and implementation, and on law reform and improvement of the criminal justice system; contributions to 24 training seminars in cooperation with specialized agencies, non-governmental organizations and other institutions on issues of administration of justice; six interregional training courses in the context of the follow-up to the Ninth Congress. Ten fellowships for training courses on selected topics of the priority themes of the programme (XB).

(c) Two field projects on: penal and procedural legislation and infrastructure building of the criminal justice system; criminal law and criminal justice reform; and contribution to field projects of the United Nations International Drug Control Programme (XB).

6. Coordination, harmonization and liaison

Coordination of operational activities and advisory services with the United Nations International Drug Control Programme, United Nations Development Programme (UNDP) and relevant specialized agencies.

B. Subprogramme 2. Collaborative action against transnational crime

8. The General Assembly and the Economic and Social Council have stressed the importance of international cooperation to prevent and control national and transnational crime, particularly in its new and sophisticated forms. They also established, as the first priority theme of the programme, national and transnational crime, organized crime, economic crime, including money-laundering, and the role of criminal law in the protection of the environment. By its resolution 1994/12, the Economic and Social Council requested the Commission to continue to accord high priority to this question and to act as focal point in the field. In 1994, assistance was provided in the organization of the International Conference on Preventing and Controlling Money Laundering and the Use of the Proceeds of Crime. The World Ministerial Conference on Organized Transnational Crime was also organized.

9. During the biennium, the subprogramme will aim at: (a) strengthening regional and international cooperation in preventing and controlling national and transnational crime, particularly in its most dangerous dimensions, as well as new and sophisticated forms; (b) assisting States in adopting a generally agreed concept of organized crime as a basis for more compatible national responses and more effective international cooperation; (c) assisting States in the specific actions required for the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime; and (d) assisting States in integrating and consolidating their efforts to prevent and combat organized transnational crime in all its forms and promoting the fundamental principles of the maintenance of the rule of law, sound public administration and good governance.

Activities

1. International cooperation

(a) Promotion of legal instruments. Promotion of: the United Nations model treaties on extradition, mutual assistance in criminal matters, the transfer of proceedings and the transfer of prisoners; implementation guidelines and training modalities against corruption; guidelines for the prevention and control of the various forms of economic crime, including international fraud and embezzlement; legal instruments and methods for the protection of the environment through criminal law.

(b) External relations. Cooperation with OECD, the Council of Europe, OAS, OAU, the European Union, the International Criminal Police Organization (ICPO/Interpol), various subregional organizations, relevant non-governmental organizations, particularly through the mechanisms established in the context of the International Scientific and Professional Advisory Council, research and scientific institutions on the prevention and control of organized transnational crime, the control of the proceeds of crime, environmental offences, the prevention and control of the smuggling of illegal migrants, international traffic in minors, the prevention and control of terrorist crimes, and the prevention and control of corruption; and contribution to the activities of the international task force on the feasibility of establishing an international training centre for law enforcement and judicial personnel, in accordance with the recommendation of the World Ministerial Conference on Organized Transnational Crime.

2. Parliamentary services

(a) Parliamentary documentation. Three reports to the General Assembly on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime; and the implementation of the conclusions and recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders; nine reports to the Commission on Crime Prevention and Criminal Justice on the collection and dissemination of information on the patterns and occurrence of organized transnational crime and measures to prevent and control it; the impact of a convention or conventions against organized transnational crime; international, regional and other initiatives for the prevention and control of the laundering of the proceeds of crime and the control of such proceeds; the role of criminal law in the protection of the environment and activities developed pursuant to Economic and Social Council resolution 1994/15 and its annex; economic crime; progress in the establishment and the activities of an international training centre for law enforcement and judicial personnel against organized transnational crime.

(b) Ad hoc expert groups. One ad hoc expert group on the elaboration of training curricula and materials, as well as the design of special courses for higher legal education for the prevention and control of money-laundering, and the control of the proceeds of crime.

3. Published material

(a) International Review of Criminal Policy; Crime Prevention and Criminal Justice Newsletter

(b) Technical material. Training manual for law enforcement and judicial personnel on the detection, investigation, prosecution and adjudication of offences related to money laundering and the control of the proceeds of crime; manual for practitioners in the area of environmental protection through the use of criminal law; databases on: legislation and methods for preventing and controlling crime by means of extradition, mutual assistance in criminal matters, transfer of proceedings, transfer of penal sanctions and transfer of prisoners; environmental protection through the use of criminal law; measures for tracing, monitoring and forfeiture of the proceeds of crime, monitoring of large-scale cash transactions and other means of preventing and controlling the laundering of the proceeds of crime; rosters of individual and institutional experts on environmental crime; and on the prevention and control of organized transnational crime.

4. Information materials and services

Booklets, pamphlets, fact sheets, wall charts, information kits. Six fact sheets for the network of government-appointed national correspondents in the field of crime prevention and criminal justice; booklet on the United Nations and crime prevention and criminal justice (third edition); handbook on the Tenth Congress preparations, as a guide for national preparatory committees and for relevant intergovernmental and non-governmental organizations (RB/XB).

5. Operational activities

(a) Advisory services on: needs assessment of the adequacy of legislative and regulatory measures, treaty development, the development of criminal justice infrastructures and the upgrading of the skills of criminal justice personnel; establishment of mechanisms for the detection, investigation and prosecution of environmental offences; collection, analysis and dissemination of statistics and information on organized transnational crime; developing structures and capabilities of national criminal justice systems; development of educational programmes; elaboration and adoption of preventive measures ensuring a clear identification of position of the owners of companies and accurate information on acquisitions and transfers, high ethical standards in public administration, the business sector, financial institutions and relevant professions.

(b) Two regional seminars on improving the capacity of the criminal justice system to deal with organized criminal activities; one regional seminar on the prevention of the displacement of money-laundering activity from the banking sector to non-supervised businesses and professions offering financial services, as well as on techniques for identifying such businesses and professions and determining the most appropriate methods of extending reporting requirements to non-banking financial institutions and areas other than banking or financial institutions; and two special training seminars, in cooperation with the regional institutes for investigative and judicial personnel, on intelligence collection and analysis concerning organized transnational crime and for criminal justice personnel and other government officials on gathering, analysing and exchanging information on criminal organizations and related activities (XB).

6. Coordination, harmonization and liaison

Collaboration with the United Nations Environment Programme (UNEP) and UNDP concerning the role of criminal law in protecting the environment, with the International Organization for Migration, International Maritime Organization (IMO), World Health Organization (WHO), United Nations

Children's Fund (UNICEF), Office of the United Nations High Commissioner for Refugees (UNHCR), and United Nations Educational, Scientific and Cultural Organization (UNESCO) on measures against the international trafficking in minors and the illegal trafficking in aliens; cooperation with the International Atomic Energy Agency (IAEA) on the collection, processing, analysis and dissemination of information on the trafficking of nuclear material and on the provision of practical assistance to Member States seeking to upgrade the capacity of their criminal justice system to deal with this problem.

C. Subprogramme 3. Crime prevention planning and criminal justice management

10. During the biennium 1994-1995, activities were oriented towards assisting Member States in crime prevention planning and criminal justice management, in particular through progressive development and implementation of the United Nations Criminal Justice Information Network (UNCJIN).

11. During 1996-1997, the subprogramme will aim at: (a) further strengthening and expanding the clearing-house functions of the programme; (b) promoting consistent, cost-effective, fair and humane crime prevention and criminal justice policies through the application of modern management techniques and recent advances in science and technology; (c) increasing the awareness of Governments of the importance of including crime prevention elements in national development plans and of ongoing collaboration with criminal justice agencies, particularly through the provision of information on crime trends; (d) assisting in the upgrading of criminal justice statistical capabilities in order to permit data collection, collation, analysis and utilization for rational decision-making and increasing public awareness of the social, economic and other costs of crime; and (e) encouraging the responsiveness of crime prevention and criminal justice policies to local needs and traditions, using indigenous mechanisms and community participation. The United Nations Criminal Justice Information Network will be developed and expanded further in order to respond to the needs of Member States, in particular developing countries and countries with economies in transition. The results of the formerly quinquennial surveys on crime trends, henceforth conducted biennially, will be regularly disseminated. Special attention will be given to the prevention and control of urban crime, as well as juvenile and violent criminality. In that context, attention will also be given to the improvement of the administration of juvenile justice. Ways and means of treating prisoners suffering from AIDS and those infected with HIV, on the basis of national experiences and needs, will be explored and promoted.

Activities

1. International cooperation

(a) Promotion of legal instruments. Promotion of the Guidelines for the Prevention of Urban Crime and the Guidelines for the Prevention of Juvenile Delinquency.

(b) External relations. Cooperation with the Council of Europe, OAS, OAU and EU, as well as with relevant non-governmental organizations, particularly through the International Scientific and Professional Advisory Council, on the improvement of criminal justice administration and management and on the prevention and control of urban, juvenile and violent crime.

2. Parliamentary services

(a) Parliamentary documentation. Annual reports to the Commission on Crime Prevention and Criminal Justice on the improvement of computerization in criminal justice management and on surveys of crime trends.

(b) Ad hoc expert groups and related preparatory work. Two expert group meetings on the analysis of the results of the Fifth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems (1990-1992); criminal justice management and information projects (RB/XB).

3. Published material

(a) Three issues of two recurrent publications. UNCJIN Crime and Justice Letter and *Crime and Justice in the World:*

(b) Non-recurrent publications. Guide on development and analysis of criminal justice statistics, including the question of transnational crime (XB);

(c) Technical material. United Nations Criminal Justice Information Network; databases on crime trends and operations of criminal justice systems; preventive measures and public policies to deal with such types of criminality as burglary, violent theft and street crime; and the sixth and seventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems.

4. Information materials and services

Exhibits and other visual materials. Model curricula, audio-visual material on education, training and public awareness in crime prevention, including computer diskettes with data of the United Nations surveys of crime trends; and wall charts and leaflets on trends in crime and justice in the world.

5. Operational activities

(a) Advisory services on needs assessment in the computerization of criminal justice administration, and model legislation and other measures for the prevention and control of urban crime and violent and juvenile criminality;

(b) One interregional seminar on the collection, collation, analysis and utilization of crime prevention and criminal justice data, including the use of the United Nations Crime and Justice Information Network (RB/XB).

6. Coordination, harmonization and liaison

Collaboration with UNESCO on education in crime prevention in the urban and mass media context; with WHO on clinical management of HIV-infected prisoners and those with AIDS; with the International Labour Organization and UNICEF on the improvement of juvenile justice.

D. Subprogramme 4. Crime prevention and criminal justice standards and norms

12. During the biennium 1994-1995, activities included the provision of training courses and advisory services to developing countries and countries with economies in transition, on the promotion of the use and application of United Nations standards and norms and on the elaboration of relevant manuals and handbooks and development of information-gathering systems.

13. During the biennium 1996-1997, activities will aim at fostering progressive crime prevention and criminal justice practice and assisting countries in accomplishing necessary reforms in line with their respective systems and new requirements in order to make use of these instruments. Primary emphasis will be placed on the application of existing United Nations standards and norms.

Activities

1. International cooperation

(a) Promotion of legal instruments. Promotion of five instruments: the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Bejing Rules); the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines); the United Nations Rules for the Protection of Juveniles Deprived of their Liberty; the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions; and the United Nations Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules); monitoring of the implementation of five instruments: the Standard Minimum Rules for the Treatment of Prisoners; the Code of Conduct for Law Enforcement Officials, together with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power; and the Basic Principles on the Independence of the Judiciary; and promoting the establishment of cooperative arrangements in criminal matters at the bilateral, regional and international levels, on the basis of United Nations model treaties on international cooperation in criminal justice matters and the existing standards and norms for the preservation and reinforcement of democracy and justice based on the rule of law.

(b) External relations. Liaison with the Council of Europe, EU, the Commonwealth Secretariat, International Committee of the Red Cross (ICRC) and other relevant intergovernmental and non-governmental organizations and academic institutions on issues of the application and promotion of criminal justice standards and norms.

2. Parliamentary services

(a) Parliamentary documentation. Reports to the Commission on Crime Prevention and Criminal Justice on application of the United Nations standards and norms in crime prevention and criminal justice and on the development of minimum rules for the administration of criminal justice and the use and application of selected United Nations standards and norms.

(b) Ad hoc expert groups and related preparatory work. Three ad hoc expert group meetings on promotion of the use and application of United Nations standards and norms; making juvenile justice standards work; the use of United Nations model treaties on international cooperation in criminal justice matters (XB).

3. Published material

(a) Recurrent publication. Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice.

(b) Four non-recurrent publications. Training manuals for criminal justice staff on non-custodial measures; training manual for law enforcement officials on United Nations standards and norms in the administration of justice; training manual for prison officials on United Nations standards and norms in the administration of justice; and strategy for effective prevention of urban crime and violent criminality, including the issue of victims (XB).

(c) Technical material. Databases on the use and application of selected United Nations standards and norms in crime prevention and criminal justice; and results of exchange of information with Member States, intergovernmental and other organizations relevant to the control of firearms.

4. Information materials and services

(a) Booklets. The United Nations Standard Minimum Rules for the Treatment of Prisoners; the United Nations standards and norms in juvenile justice; the United Nations Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; and the activities of the Crime Prevention and Criminal Justice Division regarding the application of the United Nations standards and norms in crime prevention and criminal justice (XB).

(b) Six fact sheets on selected United Nations standards and norms for special groups of criminal justice professionals (XB).

5. Operational activities

Advisory services on needs assessment and development of project proposals to developing countries and countries with economies in transition regarding their criminal justice systems, their stage of legislative development and their implementation of legal provisions.